

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sweeney, Patrick J.
Title: MODULAR CANNULATED TOTAL JOINT PROSTHESIS
Appl. No.: 10/730,606
Appl. Filing Date: 12/08/2003
Examiner: Alvin J. Stewart
Art Unit: 3774
Conf. No.: 4015

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[] Please enter and consider the amendment and/or reply previously filed on ____.

[] Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

[] Please consider the arguments in the Appeal Brief or Reply previously filed on ____.

[] Other ____.

b. Enclosed are:

[X] Amendment/Reply (15 pages).

[] Affidavit(s)/Declaration(s).

[] Information Disclosure Statement.

[] Form PTO/SB/08 with copies of ____ listed reference(s).

[] Other .

Miscellaneous:

[] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(c):				\$810.00	=\$810.00
Total Claims:	39	-	41 = 0	x \$50.00	=\$0.00
Independents	5	-	5 = 0	x \$210.00	=\$0.00
First presentation of any Multiple Dependent Claims:			+ \$370.00	=	\$0.00
				CLAIMS FEE TOTAL:	= \$810.00

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$120.00	0	\$0.00
[] Extension for response filed within the second month:	\$460.00		\$0.00
[] Extension for response filed within the third month:	\$1,050.00		\$0.00
[] Extension for response filed within the fourth month:	\$1,640.00		\$0.00
[] Extension for response filed within the fifth month:	\$2,230.00		\$0.00
	EXTENSION FEE SUBTOTAL:		\$0.00
	EXTENSION FEE ALREADY PAID:		- \$0.00
	EXTENSION FEE TOTAL		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$810.00
[X]	Small Entity Fees Apply (subtract ½ of above):		\$405.00
[]	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
	TOTAL FEE:		\$405.00

The above-identified fees of \$405.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date February 8, 2008

By /Jeffrey S. Gundersen/

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